

## **REMARKS**

### **I. Amendments to the Claims:**

Upon entry of the amendments, Claims 1-3, 5-13, 16, 28-30, 32 and 64-90 are pending in the instant application.

Applicants would like to thank Examiner Sun Jae Loewe for the courteous phone call conducted on October 20, 2008. During the call, the Examiner suggested certain amendments to Claims 1, 3 and 9 in order to allow claims to issue. In addition, the Examiner agreed to consider rejoinder of claims directed to non-elected subject matter.

Claims 1-3 and 9 were amended in accordance with the Examiner's suggestions. New claims 67-90 were added. Claims 67-77 are drawn to non-elected invention Group IV, claims 78-87 are drawn to non-elected invention Group VI, and claims 88-90 are drawn to non-elected invention Group VIII. Support for the amendments can be found in the original claims and throughout the specification. No new matter has been added.

### **II. Claim Objections**

Claims 7-8 and 16 stand objected to for being dependent on a base rejected claim. Applicants have amended claims 1 and 2. For reasons stated below, Applicants believe that the base claims are in condition for allowance. Therefore, Applicants respectfully request that this claim objection be withdrawn.

### **III. Claim Rejections - 35 U.S.C. § 112, First Paragraph**

Claims 1-3, 5, 6, 9-13, 28-30, 32 and 64-66 stand rejected under 35 U.S.C. § 112, first paragraph, for failing to comply with the written description requirement. Applicant respectfully traverses the rejection.

The Examiner indicates that the scope of the instant disclosure includes indole and benzo[d][1,3]dioxole. However, the Examiner asserts that these two ring systems are not sufficiently representative of the genus of "heterocyclyl." To expedite the prosecution of the application, Applicants have amended claims 1 and 2 wherein the term "heterocyclyl" was

replaced with indole and benzo[d][1,3]dioxole. Accordingly, Applicants respectfully request that this written description rejection under 35 U.S.C. § 112, first paragraph, be withdrawn.

**IV. Rejoinder of Claims 67-90**

Claims 67-77 relate to non-elected invention Group IV, drawn to process of making products of Group I; claims 78-87 relate to non-elected invention Group VI, drawn to process of using products of Group I; and claims 88-90 relate to non-elected invention Group VIII, drawn to process of using products of Group I for activity assay. Since claims 67-90 depend from or otherwise contain all the limitations of an allowable product claim, Applicants respectfully request that rejoinder of claims 67-90 be allowed.

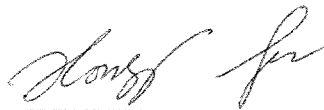
**V. Conclusion:**

Applicants believe that the pending claims are in condition for allowance. Accordingly, Applicants respectfully request that the Examiner issue a timely Notice of Allowance.

No fee is believed to be due in connection with this correspondence. If any additional fees are due, however, please charge such fee to our Deposit Account No. 08-0219.

The Examiner is invited to telephone the undersigned at the telephone number given below in order to expedite the prosecution of the Application.

Respectfully submitted,



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